

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

G. Patrick MEIER *et al.*

Serial No.: 10/575,188

Filed: April 7, 2006

For: SITE AND RATE SELECTIVE
PRODRUG FORMULATIONS OF D609
WITH ANTIOXIDANT AND
ANTICANCER ACTIVITY

Group Art Unit: 1626

Examiner: Unknown

Atty. Dkt. No.: MESC:009US

Confirmation No.: 7144

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

February 13, 2007

Date

Michael R. Krawzsenek

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

MS PCT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), dated December 27, 2006, there are enclosed herewith:

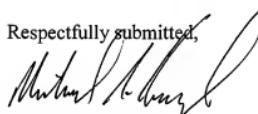
(a) Three Declarations executed on behalf of G. Patrick MEIER, Aiping BAI, and Daohong ZHOU;

- (b) Our authorization of payment in the amount of \$840.00 to cover the surcharge for late filing (\$65.00); and additional claims fee (\$775.00);
- (c) A copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US);
- (d) A Supplemental Application Data Sheet to correct the spelling of G. Patrick Meier's name;
- (e) Information Disclosure Statement;
- (f) Form PTO-1449; and
- (g) References (C1-C39).

An Assignment to Medical University of South Carolina and a check for \$40.00 are being filed under separate cover.

If the payment is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/MESC:009US.

Respectfully submitted,



Michael R. Krawzsenek
Reg. No. 51,898
Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.
600 Congress Avenue, Suite 2400
Austin, Texas 78701
(512) 474-5201

Date: February 13, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,188	Patrick G. Meier	MESC009US
INTERNATIONAL APPLICATION NO.		
PCT/US04/33255		
I.A. FILING DATE	PRIORITY DATE	
10/08/2004	10/08/2003	
CONFIRMATION NO. 7144		
371 FORMALITIES LETTER		
OC000000021678449		

Date Mailed: 12/27/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/07/2006
- Copy of the International Search Report filed on 04/07/2006
- U.S. Basic National Fees filed on 04/07/2006
- Priority Documents filed on 04/07/2006
- Specification filed on 04/07/2006
- Claims filed on 04/07/2006
- Abstracts filed on 04/07/2006
- Drawings filed on 04/07/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$775 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$840 for a Small Entity:

- **\$65 Surcharge.**
- Total additional claim fee(s) for this application is \$ 775
 - \$100 for 1 independent claims over 3.
 - \$675 for 27 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,188	PCT/US04/33255	MESC009US